

ORDINANCE NO. 99 - 24

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE TEXT OF THE **TRANSPORTATION ELEMENT** (TO REVISE THE **PALM BEACH LAKES BOULEVARD** CONSTRAINED ROADWAY AT A LOWER LEVEL OF SERVICE (CRALLS); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted a public hearing on February 12, February 19, and March 12, 1999, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 30, 1999, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

1           WHEREAS, Palm Beach County received on June 21, 1999, the  
2 Department of Community Affairs "Objections, Recommendations, and  
3 Comments Report," dated June 18, 1999, which was the Department's  
4 written review of the proposed Comprehensive Plan amendments; and

5           WHEREAS, the written comments submitted by the Department of  
6 Community Affairs contained no objections to the amendments contained  
7 in this ordinance;

8           WHEREAS, on August 17, 1999, the Palm Beach County Board of County  
9 Commissioners held a public hearing to review the written comments  
10 submitted by the Department of Community Affairs and to consider  
11 adoption of the amendments; and

12           WHEREAS, the Palm Beach County Board of County Commissioners has  
13 determined that the amendments comply with all requirements of the  
14 Local Government Comprehensive Planning and Land Development  
15 Regulations Act.

16           NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
17 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

18           Part I. Amendments to the 1989 Comprehensive Plan

19           An amendment to the text of the following Element of the 1989  
20 Comprehensive Plan is hereby adopted and attached to this Ordinance in  
21 Exhibit 1:

22           A.    Transportation Element, to revise the Palm Beach Lakes  
23 Boulevard Constrained Roadway at a Lower Level of Service  
24 (CRALLS); and

25           B.    Amending all elements as necessary for internal consistency.

26           Part II. Repeal of Laws in Conflict

27           All local laws and ordinances applying to the unincorporated area  
28 of Palm Beach County in conflict with any provision of this ordinance  
29 are hereby repealed to the extent of such conflict.

30           Part III. Severability

31           If any section, paragraph, sentence, clause, phrase, or word of



1 this Ordinance is for any reason held by the Court to be  
2 unconstitutional, inoperative or void, such holding shall not affect  
3 the remainder of this Ordinance.

4 Part IV. Inclusion in the 1989 Comprehensive Plan

5 The provision of this Ordinance shall become and be made a part  
6 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
7 Ordinance may be renumbered or relettered to accomplish such, and the  
8 word "ordinance" may be changed to "section," "article," or any other  
9 appropriate word.

10 Part V. Effective Date

11 The effective date of this plan amendment shall be the date a  
12 final order is issued by the Department of Community Affairs or  
13 Administration Commission finding the amendment in compliance in  
14 accordance with Section 163.3184, Florida Statutes, whichever occurs  
15 earlier. No development orders, development permits, or land uses  
16 dependent on this amendment may be issued or commence before it has  
17 become effective. If a final order of noncompliance is issued by the  
18 Administration Commission, this amendment may nevertheless be made  
19 effective by adoption of a resolution affirming its effective status,  
20 a copy of which resolutions shall be sent to the Department of  
21 Community Affairs, Bureau of Local Planning, 2740 Centerview Drive

1 Tallahassee, Florida 32399-2100. APPROVED AND ADOPTED by the Board  
2 of County Commissioners of Palm Beach County, on the 17 day of  
3 August, 1999.

4 ATTEST:  
5 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

6 By: Joan Hawley  
7 Deputy Clerk

By: Mauda Ford Lee  
Chair

8 APPROVED AS TO FORM AND  
9 LEGAL SUFFICIENCY

10 [Signature]  
11 COUNTY ATTORNEY



12 Filed with the Department of State on the 25th day  
13 of August, 1999.

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## EXHIBIT 1

### A. **Transportation Element, Palm Beach Lakes Constrained Roadway at Lower Level of Service (CRALLS) Adjustment**

**ADDITION:** Addition of underlined text to **Policy 1.2-f** as follows:

**Policy 1.2-f:** The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards.

1-7. *(Pertain to other CRALLS; unaltered text omitted for brevity)*

8. The following roadway segments and intersections are hereby designated as a CRALLS facility :

- a. Palm Beach Lakes Boulevard from Village Boulevard to I-95  
Daily level of service standard: 54,990 vehicles per day  
Peak hour, peak direction standard: 2,969 vehicles per hour  
Test 2 Volume: 62,100 vehicles per day
- b. Palm Beach Lakes Boulevard from I-95 to Executive Center Drive  
Daily level of service standard: 58,040 vehicles per day  
Peak hour, peak direction standard: 2,816 vehicles per hour
- c. Australian Avenue from 25th Street to Palm Beach Lakes Boulevard  
Daily level of service standard: 34,839 vehicles per day  
Peak hour, peak direction standard: 1,768 vehicles per hour
- d. Intersection of Palm Beach Lakes Boulevard & Village Boulevard  
Critical Sum: 1,820 vehicles per hour
- e. Intersection of Palm Beach Lakes Boulevard & I-95 ramps  
Critical Sum: 1,593 vehicles per hour
- f. Intersection of Palm Beach Lakes Boulevard & Congress Avenue  
Critical Sum: 1,513 vehicles per hour
- g. Intersection of Palm Beach Lakes Boulevard & Australian Avenue  
Critical Sum: 1,431 vehicles per hour
- h. Palm Beach Lakes Boulevard from I-95 to Congress Avenue  
Test 2 Volume: 61,040 vehicles per day

*This CRALLS facility reflects the commitment of the City of West Palm Beach that the residential portion of the auditorium site in the City shall be limited to 600 units.*

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STATE OF FLORIDA, COUNTY OF PALM BEACH,  
I, DOROTHY H. WILKEN, ex-officio, Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on 8-17-99  
DATED at West Palm Beach, FL. on 9-17-99  
DOROTHY H. WILKEN, Clerk  
B: [Signature]

